

Lawmakers turn in their homework to court on McCleary school-funding case

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Washington state lawmakers are under more pressure than ever to improve education after the state Supreme Court ordered them to put more money into the system. (File photo)

State lawmakers' latest response on their plans for school funding may leave the state Supreme Court wanting more.

The court in January gave the Legislature a deadline of April 30 to submit "a complete plan for fully implementing its program of basic education for each school year between now and the 2017-18 school year."

But lawmakers didn't agree on any such funding plan during their 60-day session. Their report prepared for the court bows to the fact that there is no year-by-year timeline for adding the money.

It notes "there was no political agreement reached either among the political caucuses or between the legislative chambers on what the full implementation plan should look like, and the Article IX Committee does not have the authority to propose such a plan absent legislation."

The Article IX Committee is the panel of state lawmakers tasked with communicating with the court in the case known as McCleary. The group unanimously approved the report Tuesday.

It restates what is required to be added by 2018 under current law but takes no position on whether more is needed, as many Democrats argue. Nor does it say where to find the money.

The Legislature is not on pace for a steady phase-in. Over the two sessions since the court found lawmakers weren't living up to their obligations to fully fund schools, they have added a bit more than \$1 billion to basic education. Their staff estimates roughly \$3.5 billion more in spending is needed to fulfill current law alone.

The report outlines what has been done so far and runs through a series of plans for finding more money that were discarded this year but might lay the groundwork for future action. It calls out 2015 as "the next and most critical year for the Legislature to reach the grand agreement needed."

"The real test will be in the next biennium," House Majority Leader Pat Sullivan said.

The report also urges justices not to be "counterproductive" in their response. Some lawmakers chafed at the detailed instructions in the court's January order.

"Our goal is to ensure that the paramount duty is met and that measures taken by the Legislature, and by extension, the Court, do not result in a constitutional conflict that is counterproductive to that end," the report says.

The report argues that lawmakers have already fulfilled one part of current law by providing full funding for school buses. It notes that the law also requires full funding in the next biennium of school supplies and operating costs, a category that by itself would require \$746 million in the next budget. Lawmakers also could make progress on their promises to fund class-size reduction in the lower grades and full-day kindergarten, costing hundreds of millions more.

And Sullivan and other Democrats say the state must also kick in more money for the salaries of school employees. With teachers included, that could bring next year's price tag to perhaps roughly \$3 billion. State schools superintendent Randy Dorn would go even higher.

Dorn, commenting in a statement on lawmakers highlighting 2015 as a critical year, said: "In other words, Wait until tomorrow. But I have to ask: Will tomorrow ever come?"

"The Legislature isn't going to take its responsibility seriously unless the Court forces it to do so."

Republican Rep. Susan Fagan of Pullman, though, said lawmakers must also be mindful of what taxpayers can afford.

"We feel really good about what the Washington Legislature has done to begin addressing full funding of public education," Fagan said.

Ben Rarick, director of the State Board of Education, said the report seems to mainly be a recitation of current law.

"If that's essentially all they said," he said, "one wonders what the purpose of the report is."

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